

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0658	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Demolition of the existing conservatory and construction of a single storey extension to enlarge the kitchen and relocate a bedroom		
Site:	Penland Farm Cottage, 7A Timbergate Drive, Haywards Heath, West Sussex, RH17 5LH, , ,		
Validation Date	16 Mar 2026	Overall Expiry Date:	13 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	30 Apr 2026
Target Date:	11 May 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	30 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0658

**Penland Farm Cottage, 7A Timbergate Drive, Haywards Heath, West Sussex, RH17 5LH, ,
Demolition of the existing conservatory and construction of a single storey extension to enlarge
the kitchen and relocate a bedroom
Mr Chris French**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the application.

SUMMARY OF CONSULTEES

Southern Water: No objection.

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: No comment.

INTRODUCTION

The application seeks planning permission for the demolition of the existing rear conservatory and for the development of a single storey extension partly in its place.

RELEVANT PLANNING HISTORY

03/01126/FUL - Two storey extension housing porch and ensuite bathroom. Permission 18.06.2003.

04/00173/FUL - Addition of single storey extension to cottage. Permission 15.03.2004.

05/01675/FUL - Proposed demolition of existing double garage and storage building. Proposed detached garage with ancillary accommodation/storage to main dwelling. Permission 20.09.2005.

DM/21/0100 - Creation of a second independent access from Penland Farm Cottage for Penland Farmhouse. Alignment with existing driveway supported by kerb upstand to match/tie in with existing. Removal of existing retaining wall. Permission 05.07.2021.

DM/22/0182 - To provide a new dividing wall - part retaining - to divide the Property known as Penland Farmhouse and the property known as Penland Cottage. The proposal includes minor alteration to the hard landscaping and the inclusion of several trees to the cottage side of the new wall. A second retaining wall is proposed to the Farmhouse side to the previously approved driveway to maintain the provision of the existing garden. Permission 28.02.2022.

SITE AND SURROUNDINGS

The application relates to Penland Farm Cottage, a two storey dwelling which is set to the southern side of Timbergate Drive and accessed through a private driveway. The existing dwelling follows a linear form and utilises a pitched roof design. A single storey conservatory appears to have previously have been developed to the rear elevation which leads out towards a slab patio area. There is lawned garden amenity space set immediately to the north of the dwelling which features some mature boundary planting. Furthermore, there are some brick built rendered walls to the east of the dwelling which enclose an existing gas store. The existing dwelling is composed of rendered walls and tile hanging at first floor level, a tiled and felt roof, white uPVC windows and uPVC doors.

In terms of the sites locality, there are a number of modern estate style dwellings located along Timbergate Drive. The application property is set down a private driveway which features another older property at Penland Farmhouse.

The site is within the built-up area for Haywards Heath as defined in the District Plan (DP).

APPLICATION DETAILS

The proposal would demolish the existing rear conservatory and would develop a new single storey extension partly in its place. The proposed extension would measure at approximately 11.5m in length, 6.1m wide and 3.1m high when taken from the highest adjacent natural ground floor level. Proposed external materials would comprise zinc external cladding and timber cladding to the walls, a liquid applied membrane flat roof, low profile aluminium grey windows and timber doors.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the Haywards Heath Neighbourhood Plan

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26: Character and Design

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

Haywards Heath Neighbourhood Plan (Made March 2016)

Policy E9 - Protection and Reinforcement of Local Character

Policy H9 - Domestic Extensions

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135 & 139.

National Design Guide (Published January 2021)

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Character
- Impact on Neighbouring Amenities
- Biodiversity Net Gain

Design and Character

Policy DP26 of the District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- o is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution'*

Furthermore, Policy H9 of the Neighbourhood Plan states that:

'Extensions to existing dwellings will be permitted where it meets the following criteria:

- o The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- o Spacing between buildings would respect the character of the street scene.*
- o Gaps which provide views out to surrounding countryside are maintained.*
- o Materials are compatible with the materials of the existing building.*
- o The traditional boundary treatment of an area is retained and, where feasible reinforced.*
- o The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.'*

Policy E9 of the Haywards Heath Neighbourhood Plan states that:

'Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:

- o height, scale, spacing, layout, orientation, design and materials of buildings,*

o the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,
o respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,
o creates safe, accessible and well-connected environments that meet the needs of users,
o will not result in unacceptable levels of light, noise, air or water pollution,
o Makes best use of the sites to accommodate development,
o Car parking is designed and located so that it fits in with the character of the proposed development.'

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.'

In terms of rear extensions, principle DG51 states:

'Rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens'

The existing conservatory which is proposed to be demolished is considered to be of limited architectural merit and is set to a visually discrete position with regard to public vantage points. As such, it is considered that the demolition of the conservatory would be acceptable.

Whilst the existing dwelling follows a largely linear footprint layout, it is considered that this is interrupted by the existing conservatory outshot to the east. Accordingly, the principle of a rear (east) extension is considered to be acceptable subject to detail.

The proposed extension is considered to be of a substantial footprint and would be a greater width than the existing dwelling. Furthermore, the proposal would utilise a more contemporary palette of materials than the existing more traditional dwelling. Nevertheless, it is considered that the extension would be sited within a visually discrete location and would only be visible from the street scene from oblique angles. Furthermore, whilst the proposal would be of a significant footprint, it is considered that the limited single storey height would ensure that the proposal wouldn't dwarf the host dwelling.

Although the proposed extension would be of a greater overall length than the existing conservatory, the proposed width would only be circa 2m in additional width than the existing conservatory to the eastern elevation. Furthermore, it is considered that the dwelling would continue to be served by sufficient garden amenity space to the north. With this in mind and the fact that the conservatory would be sited within a visually discrete position, it is not considered that the proposal could be resisted on the basis of an adverse impact on character and design.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy H9 of the Haywards Heath Neighbourhood Plan states that proposals should 'safeguard' neighbouring amenities with regard to privacy, daylight, sunlight and outlook whereas policy DP26 of the MSDP states that development should not cause 'significant harm' to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is

contained in the last document to be adopted, approved or published. As such, Policy DP26 of the Mid Sussex District Plan is considered to take precedence and therefore the test in this instance is whether the development causes 'significant harm' to neighbouring amenities as outlined above.

The proposal would be wholly contained to a single storey size and scale and is considered to have a substantial degree of separation from the residential properties to the east along Timbergate Drive. Furthermore, the proposed new window openings would be contained to ground floor level and are not considered to offer a significant degree of outlook.

A new expanse of flat roof space would be created which could be used as a terrace and provide outlook towards other nearby properties from an elevated position. It is therefore recommended that a condition be appended to any permission that may be granted to restrict the use of the flat roof as a roof terrace. This is considered to be relevant and necessary in the interest of protecting neighbouring amenities.

Accordingly, the proposal is considered to comply with the provisions of policy DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities.

The proposal will comply with Policy DP26 of the District Plan, Policies H9 and E9 of the Haywards Heath Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas